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12 Attorneys for Plaintiff and Counterclaim Defendant  
13 APPLIED SIGNAL TECHNOLOGY, INC. and  
Third-Party Defendant COMTECH EF DATA, CORP.

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 OAKLAND DIVISION

17  
18 APPLIED SIGNAL TECHNOLOGY, INC.

19 Plaintiff,

20 vs.

21 EMERGING MARKETS COMMUNICATIONS,  
INC., EMC SATCOM TECHNOLOGIES, INC.,  
22 PARADISE DATACOM, LLC, and VIASAT,  
INC.,

23 Defendants.  
24

25 AND RELATED COUNTERCLAIMS AND  
26 THIRD PARTY CLAIMS

Case No. 09-CV-02180-SBA

**STIPULATED MOTION AND  
[PROPOSED] ORDER GRANTING  
PLAINTIFF APPLIED SIGNAL  
TECHNOLOGY, INC. AND THIRD-  
PARTY DEFENDANT COMTECH  
EF DATA LEAVE TO FILE  
AMENDED ANSWER AND  
COUNTERCLAIMS**

**JURY TRIAL DEMANDED**

1 WHEREAS, Defendant VIASAT, INC. ("ViaSat"), having filed on June 29, 2010  
2 a Notice of Motion and Motion to Strike Applied Signal Technology, Inc.'s and Comtech  
3 EF Data Corp.'s Affirmative Defenses of Inequitable Conduct; and

4 WHEREAS, Plaintiff APPLIED SIGNAL TECHNOLOGY, INC. ("AST") and  
5 Third-Party Defendant COMTECH EF DATA CORPORATION ("Comtech"), having  
6 filed on September 7, 2010 an Opposition to ViaSat's Motion to Strike Inequitable  
7 Conduct Defense AND Cross-Motion for Leave to Amend Answer and Counterclaims;  
8 and

9 WHEREAS, ViaSat subsequently filed on September 14, 2010 a Notice of  
10 Withdrawal of Motion to Strike and Non-Opposition to AST and Comtech's Cross  
11 Motion for Leave to Amend Answer and Counterclaims:

12 THEREFORE, ViaSat, AST and Comtech, through the undersigned counsel,  
13 hereby stipulate and move the Court for an Order granting Plaintiff Applied Signal  
14 Technology, Inc. and Third-Party Defendant Comtech EF Data leave to file their  
15 amended answer and counterclaims to ViaSat, Inc.'s First Amended Answer and  
16 Counterclaims, attached hereto as Exhibits A and B.

17 Date: September 24, 2010 SANDERS & PARKS P.C.

18  
19 /s/Michelle Breit  
Michelle Breit  
Attorneys for Plaintiff  
20 APPLIED SIGNAL TECHNOLOGY  
21 And Third-Party Counterclaim Defendant  
COMTECH EF DATA, CORP.

22 Date: September 24, 2010 FISH & RICHARDSON P.C.

23  
24 /s/ Seth Sproul  
Seth Sproul  
Attorneys for Defendants  
25 PARADISE DATACOM, LLC  
26 and VIASAT, INC.

**DECLARATION OF CONSENT**

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Seth Sproul.

Date: September 24, 2010

SANDERS & PARKS P.C.

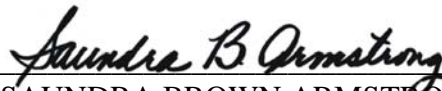
/s/ Michelle Breit

Michelle Breit  
Attorneys for Plaintiff  
APPLIED SIGNAL TECHNOLOGY  
And Third-Party Counterclaim Defendant  
COMTECH EF DATA, CORP

**ORDER**

IT IS HEREBY ORDERED granting Plaintiff Applied Signal Technology, Inc. and Third-Party Defendant Comtech EF Data leave to file their amended answer and counterclaims to ViaSat, Inc.'s First Amended Answer and Counterclaims *within five days of the date this order is filed*. This order terminates ECF Nos. 164 and 170.

Dated: 9/27/10

  
SAUNDRA BROWN ARMSTRONG  
JUDGE, UNITED STATES DISTRICT COURT